

FILED

MAR 22 2018 

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

TOBIAS DIGGS, also known as "Bias" or
"Chief Bias,"
MARVON HAMBERLIN, also known as
"M-Dog," and
JOSHUA MCCLELLAN

18CR 185

Violations: Title 18, United States Code,
Sections 1951(a)(1), 924(c)(1)(A), and
2314

JUDGE FEINERMAN

MAGISTRATE JUDGE GILBERT

COUNT ONE

The SPECIAL FEBRUARY 2017 GRAND JURY charges:

1. Beginning in or around January 2017, and continuing until on or about April 2017, in the Northern District of Illinois, Eastern Division, and elsewhere,

TOBIAS DIGGS, also known as "Bias" or "Chief Bias,"
MARVON HAMBERLIN, also known as "M-Dog," and
JOSHUA MCCLELLAN,

defendants herein, did conspire with each other, and with others known and unknown to the Grand Jury, to obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, by robbery, as "commerce" and "robbery" are defined in Title 18, United States Code, Section 1951(b), in violation of Title 18, United States Code, Section 1951(a).

2. It was part of the conspiracy that the defendants TOBIAS DIGGS, MARVON HAMBERLIN and JOSHUA MCCLELLAN, and others known and unknown to the Grand Jury, agreed to rob Razny Jewelers in Hinsdale in the Northern District of Illinois.

3. It was further part of the conspiracy that the defendants:
 - a. identified a jewelry store for the armed robbery and conducted surveillance of the targeted jewelry store;
 - b. obtained, possessed and brandished firearms in connection with the commission of the armed robbery;
 - c. used cellular telephones to communicate with one another while planning and committing the robbery;
 - d. used a vehicle for transportation to and from the location of the robbery, including a 2003 Lexus RX SUV;
 - e. concealed their identities by wearing hoods, masks and other items; and
 - f. robbed Razny Jewelers of jewelry and watches at gunpoint; and
 - g. sold or otherwise disposed of some of the stolen jewelry and watches in Chicago, Illinois; Oak Lawn, Illinois and Atlanta, Georgia.
4. It was further part of the conspiracy that TOBIAS DIGGS, MARVON HAMBERLIN, and JOSHUA MCCLELLAN would and did conceal and hide, and cause to be concealed and hidden, the purposes of acts done in furtherance of the conspiracy.

In violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

The SPECIAL FEBRUARY 2017 GRAND JURY further charges:

On or about March 17, 2017, at Hinsdale, in the Northern District of Illinois,
Eastern Division and elsewhere,

TOBIAS DIGGS, also known as "Bias" or "Chief Bias,"
MARVON HAMBERLIN, also known as "M-Dog," and
JOSHUA MCCLELLAN,

defendants herein, did obstruct, delay, and affect "commerce," as defined in Title 18, United States Code, Section 1951(b), and the movement of articles and commodities in commerce, by robbery, in that the defendants did unlawfully take and obtain jewelry and watches from the person and in the presence of an employee of Razny Jewelers, located at 37 S. Washington Street in Hinsdale, Illinois, against her will, by means of an actual and threatened force, and fear of injury to that employee;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

The SPECIAL FEBRUARY 2017 GRAND JURY further charges:

On or about March 17, 2017, at Hinsdale, in the Northern District of Illinois,
Eastern Division and elsewhere,

TOBIAS DIGGS, also known as "Bias" or "Chief Bias,"
MARVON HAMBERLIN, also known as "M-Dog," and
JOSHUA MCCLELLAN,

defendants herein, did use, carry, and brandish a firearm during and in relation to a crime of violence for which they each may be prosecuted in a court of the United States, namely, conspiracy affecting commerce in violation of Title 18, United States Code, Section 1951(a), as charged in Count One of this Indictment, and robbery affecting commerce in violation of Title 18, United States Code, Section 1951(a), as charged in Count Two of this Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A) and 2.

COUNT FOUR

The SPECIAL FEBRUARY 2017 GRAND JURY further charges:

On or about March 18, 2017, in the Northern District of Illinois, Eastern Division, the Northern District of Georgia, and elsewhere,

TOBIAS DIGGS, also known as "Bias" or "Chief Bias,"
MARVON HAMBERLIN, also known as "M-Dog," and
JOSHUA MCCLELLAN,

defendants herein, did transport and cause to be transported in interstate commerce, from Illinois to Georgia, goods and merchandise with a value of more than \$5,000, namely jewelry and other goods with a total value over \$200,000, knowing that such goods had been stolen;

In violation of Title 18, United States Code, Section 2314.

FORFEITURE ALLEGATION

The SPECIAL FEBRUARY 2017 GRAND JURY further alleges:

1. The allegations contained in this Indictment are incorporated here by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of their violations of Title 18, United States Code, Section 924(c)(1)(A) and 1951(a) as alleged in the foregoing Indictment

TOBIAS DIGGS, also known as "Bias" or "Chief Bias,"
MARVON HAMBERLIN, also known as "M-Dog," and
JOSHUA MCCLELLAN,

defendants herein, shall forfeit to the United States, pursuant to Title 18 United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all right, title, and interest he may have in any property involved in the charged offense.

3. The interest of the defendant subject to forfeiture pursuant to Title 18 United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), includes but is not limited to property seized on or about March 27, 2017 including:

- a. a Sturm Ruger Redhawk .44 magnum caliber revolver and associated ammunition;
- b. a Smith & Wesson Model 915, 9 mm semi-automatic handgun, bearing serial number VKM4252, and associated ammunition;
- c. a Frederique Constant watch, bearing serial number 1922884;

- d. a Frederique Constant watch, bearing serial number 1985737;
- e. a Frederique Constant watch, bearing serial number 282X5B4/6;
- f. a Frederique Constant watch, bearing serial number FC-282AB5B6;
- g. a Frederique Constant watch, bearing serial number FC-282AS5B6;
- h. a Patek Phillipe watch, bearing serial number 5840438/6049144;
- i. a Tudor watch, bearing serial number I609396;
- j. a Tudor watch, bearing serial number I359262; and
- k. a Tudor watch, bearing serial number I313781.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY